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APR 2
JAMES H. McK

No. 15 Original.

Supreme Court of the United States.

IN THE MATTER

OF

THE PETITION OF THE CHRISTENSEN ENGINEERING COMPANY FOR A WRIT OF MANDAMUS TO THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE SECOND CIRCUIT,

Respondent.

RESPONDENT'S ANSWER.

FREDERIC H. BETTS,
Of Counsel for Respondent and for Defendant in Error in the Court below.

C. G. Burgoyne, Walker and Centre Streets, N. Y.

Supreme Court of the United States.

IN THE MATTER

OF

The Petition of the CHRISTENSEN ENGINEERING COMPANY Praying for a Writ of Mandamus to the United States Circuit Court of Appeals for the Second Circuit, Respondent.

The Judges of the United States Circuit Court of Appeals for the Second Circuit answering the petition of the Christensen Engineering Company that they show cause why a writ of mandamus should not be granted commanding them to reinstate and take jurisdiction of the writ of error, in the case of Westinghouse Air Brake Company vs. Christensen Engineering Company, which was dismissed by them, and to entertain and consider the merits of said writ of error, and to decide the same upon the merits, respectfully submit their action in the premises to the judgment of this Honorable Court, and certify that their reasons for dismissing the said writ of error, which was sued out on March 23, 1903, and argued before them on December 14, 1903, are fully set forth in their opinion, a copy of which is annexed to the said petition.

And the said Judges of the United States Circuit Court of Appeals for the Second Circuit, hereby ap-

point Frederic H. Betts counsel for the defendant in error before the said Circuit Court of Appeals for the Second Circuit, to represent them and present to the Honorable the Supreme Court of the United States such considerations in connection with said petition as he may be advised.

Dated April 20, 1904

(sgnd) Wm J Wallace
(sgnd) Wm K Townsend
(sgnd) Alfred C Coxe
Judges United States Circuit Court of
Appeal for the Second Circuit